

Extending welcome to Sam Rowland of Richardson.

Adjournment

On motion of Senator Hardeman the Senate at 11:56 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent To Governor

March 30, 1965

S. C. R. No. 42

FORTY-SECOND DAY

(Wednesday, March 31, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Kazen submitted the following reports:

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 26, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 9, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred S. J. R. No. 21, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

KAZEN, Chairman.

C. S. S. J. R. No. 21 was read the first time.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred S. J. R. No. 4, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

KAZEN, Chairman.

C. S. S. J. R. No. 4 was read the first time.

Senator Herring submitted the following reports:

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. C. R. No. 63, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 180, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 335, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 340, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 242, have had the same under consideration, and I am instructed to report it back to the Senate with

the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 276, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 356, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 358, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 427, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B.

No. 428, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 429, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 453, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 479, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 215, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HERRING, Chairman.

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 153, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Senator Moore submitted the following report:

Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 326, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Senate Resolution 376

Senator Hardeman offered the following resolution:

Be It Resolved, By the Senate of Texas that the Commissioner of Agriculture of Texas be authorized to appoint a committee of private citizens to study the economic effect of imported fresh beef, pork and lamb on the cattle, swine and sheep industries in Texas, at no expense to the State, and that such committee make its report to the Commissioner at such time and in such form as he may require; and be it further

Resolved, That a copy of this Resolution, under the Seal of the Senate of Texas, be furnished the Commissioner of Agriculture.

HARDEMAN
CRUMP
SCHWARTZ
ROGERS
SNELSON
RATLIFF
RICHTER
COLE

The resolution was read and was adopted.

Senate Bill 483 on First Reading

Senator Moore moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Moore:

S. B. No. 483, A bill to be entitled "An Act fixing the minimum compensation of county attorneys (compensated on a salary basis) performing the duties of district attorney; providing for certain payments by the State of Texas into the Officers Salary Fund of each county covered by the provisions of this Act; providing a repealing clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 484 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated.

By Senator Richter:

S. B. No. 484, A bill to be entitled "An Act relating to the duties and compensation of the district attorney for the 25th Judicial District; amending Section 3, Chapter 249, Acts of the 54th Legislature, 1955; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 485 on First Reading

Senator Watson moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The following bill was then introduced, read first time and referred to the Committee indicated:

S. B. No. 485, A bill to be entitled "An Act amending Section (1) of Title 122A Taxation-General Chapter 1, Article 1.07 (As amended Acts of 1961, 57th Legislature. p. 201, Chapter 104, sec. 1) so as to define and establish a preferred lien for all taxes due the State of Texas by virtue of this Title except as to motor vehicle liens duly recorded under the Texas Certificate of Title Act, and to provide for recording of lien of all taxes provided for in this Act due the State of Texas before the taxes shall be a lien on real estate or chattels, providing such liens shall not be valid or effective as against a mortgagee, holder of deed of trust lien, purchaser, pledgee, or judgment creditor acquiring title, lien, or other right or interest before such notice has been so filed and recorded; repealing all laws or parts of laws in conflict herewith; providing the Act shall not apply to pending litigation; providing for severability and declaring an emergency."

To the Committee on Jurisprudence.

Senate Joint Resolution 44 on First Reading

Senator Crump moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crumpp	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The following resolution was then introduced, read first time and referred to the Committee indicated:

S. J. R. No. 44, Proposing an amendment to Sections 2, 3, and 25 of Article III of the Constitution of the State of Texas so as to provide for an increase in the membership of the State Senate from 31 to 39 members, to fix the membership in the House of Representatives at 150 members, to increase the length of senator's terms from four to six years, to require apportionment of the senate according to population, and to delete the limitation that no single county is entitled to more than one Senator.

To the Committee on Constitutional Amendments.

Bill and Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill and resolution:

H. C. R. No. 70, In memory of David H. Nathan.

H. B. No. 170, A bill to be entitled "An Act amending Section 1 of Chapter 360, Acts of the 45th Legislature as amended, to provide for the election of school trustees in independent school districts of 1,000 or more scholastics, by place system when so directed by the Board of Trustees of such district; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

House Bill 43 Re-referred

On motion of Senator Moore and by unanimous consent H. B. No. 43 was

withdrawn from the Committee on Finance and re-referred to the Committee on Counties, Cities and Towns.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 24, Granting permission to Waples-Platter Company to sue the State of Texas.

H. C. R. No. 66, Recommending a comprehensive public education program on the effects of certain drugs.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 158. Hale, Bass of Harris, Harrison, Wilson and Mobley.

S. B. No. 186, A bill to be entitled "An Act authorizing the payment of reasonable fees and charges to The University of Texas for services rendered by members of the staff of said University to the Texas Highway Department and for equipment and materials necessary for research and experimentation of all phases of highway activity, economics, materials, specifications, design of roadways, construction, maintenance, pavements and structures, drainage, traffic control, safety, the economics of highway design and construction, and such other fields of highway design, construction, maintenance or operation as may be agreed upon between the Texas Highway Department and The University of Texas; etc., and declaring an emergency."

S. B. No. 115, A bill to be entitled "An Act relating to the certification of authenticity of certain records of the State Highway Department and Texas Department of Public Safety; amending Section 2a, Chapter 39, Acts of the 49th Legislature, 1945; and declaring an emergency."

S. B. No. 108, A bill to be entitled "An Act amending Acts 1953, 53rd Legislature of the State of Texas, Chapter 268 (Vernon's Article 8220-155) which created Wise County water supply district by enlarging

and redefining the boundaries of Wise County water supply district; validating the appointment and the fixing of terms of the Board of Directors of such district; etc., and declaring an emergency."

(With amendment.)

S. B. No. 257, A bill to be entitled "An Act to amend Chapter 290 of the 41st Legislature, 1929, codified as Article 2815h, Vernon's Texas Civil Statutes, as amended, providing two alternate methods by which territory adjoining or lying adjacent to any Junior College District may be annexed to such Junior College District for Junior College purposes only; repealing all conflicting laws; providing a severability clause; and declaring an emergency."

(With amendment.)

S. B. No. 193, A bill to be entitled "An Act authorizing the Board of Directors of Texas A & M University to grant a perpetual easement to the North Bosque Water Control and Improvement District, Erath County, and the Bosque Soil Conservation District of Stephenville, Texas, for the construction of a floodwater retarding structure and for an associated flood area involving a total of 42.8 acres of land, more or less, owned by the State of Texas and operated as Substation No. 20 of the Texas Agricultural Experiment Station; and for altering, operating, maintaining, repairing and inspecting same, and prescribing the consideration therefor; and declaring an emergency."

S. B. No. 407, A bill to be entitled "An Act relating to the transfer of the operation, management, and direction of Arlington State College to the Board of Regents of the University of Texas; amending Section 2, Chapter 459, Acts of the 51st Legislature, Regular Session, 1949; and declaring an emergency."

(With amendment.)

S. C. R. No. 57, Requesting State Building Commission to convert area to temporary parking lot for Legislature, etc.

(With amendment.)

S. J. R. No. 27, Proposing an amendment to the Constitution of the State of Texas, amending Article III of the Constitution of the State of Texas by adding a new section thereto to be designated Section 48b, so

as to create as an agency of the State of Texas the Teacher Retirement System of Texas, vesting the general administration and responsibility of the proper operation of said system in a state board of trustees to be known as the State Board of Trustees of the Teacher Retirement System of Texas, authorizing said board to invest assets of said system in various obligations and subjects of investment, subject to certain restrictions stated therein; providing that such amendment shall be self-enacting and shall not alter, amend or repeal Section 48a of Article III of the Constitution of Texas or any legislation passed pursuant thereto except insofar as such legislation may limit or restrict the provisions of this amendment; providing for the necessary election, form of ballot, proclamation, and publication."

(With amendment.)

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Senate Resolution 380

Senator Hardeman offered the following resolution:

Whereas, Today marks the seventy-fifth birthday anniversary of one of the Capitol's best known and most highly respected personalities, Judge Lloyd W. Davidson; and

Whereas, He served from January 1955 until December 1960, on the Court of Criminal Appeals, and for fourteen years prior to his service as Judge he was a Commissioner-in-Aide to the Court; and

Whereas, Judge Davidson is a native Texan: he was born in Greenville in 1890 and graduated from the public schools of that city, continuing his education at Lebanon, Tennessee, Cumberland University, from which he received an LL.B. degree; and

Whereas, He practiced law in Sulphur Springs from his graduation until 1930, when he moved to Austin after being named State's Attorney before the Court of Criminal Appeals; and

Whereas, His many written opinions upon constitutional and statutory questions during the thirty years he was associated with the Court, first as State's Attorney, then as Commissioner, and finally as a member of the Court, are invaluable interpretations of criminal law, and his advice is

sought frequently by legislators and the legal profession when questions arise today relating to this subject in which he is so well versed; and

Whereas, Since his retirement from the bench in 1960, Judge Davidson has retained active interest in the affairs of government, particularly as they relate to criminal law, and is a familiar figure in the Capitol during legislative sessions; and

Whereas, The Senate of Texas wishes to recognize Judge Lloyd W. Davidson's long and faithful service to his profession and to the people of Texas, and to congratulate him on his birthday; now, therefore, be it

Resolved, That the best wishes of of the Texas Senate be extended to Judge Lloyd W. Davidson on his birthday, and that a copy of this Resolution under the Seal of the Senate be delivered to him.

HARDEMAN.

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Harrington, Hazlewood, Herring, Hightower, Kazen, Kennard, Krueger, Moore, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Snelson, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Hightower and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted.

Message From the House

Hall of the House of Representatives
Austin, Texas,
March 31, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. J. R. No. 7, Proposing an amendment to the Constitution of the State of Texas providing for the exemption from local ad valorem taxes of the property of certain charitable organizations, provided such organizations meet certain conditions and requirements and expend at least one and one-half million dollars (\$1,500,000) annually on free medical and hospital

care for the indigent within the State of Texas; providing for the necessary election, form of ballot, proclamation and publications.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Motion to Concur in House Amendments to Senate Bill 407

Senator Kennard called S. B. No. 407 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

Committee Amendment No. 1

Amend Section 1 of Senate Bill No. 407 by adding at the conclusion of Section 1 thereof the following sentence:

"It is the intent of the Legislature that future building needs of Arlington State College shall be financed from some source or sources other than The University of Texas' share of the principal and/or interest of and from the University Permanent Fund."

Amendment No. 2

Amend S. B. No. 407 printed copy Line 45 by adding ", Of Texas" after the word Texas.

The House amendments were read.

Senator Kennard moved that the Senate concur in the House amendments.

The motion was lost by the following vote:

Yeas—11

Bates	Kazen
Calhoun	Kennard
Cole	Patman
Creighton	Snelson
Harrington	Spears
Herring	

Nays—17

Aikin	Ratliff
Blanchard	Reagan
Colson	Richter
Dies	Rogers
Hardeman	Schwartz
Hazlewood	Strong
Hightower	Watson
Krueger	Word
Moore	

Present—Not Voting

Parkhouse

Absent

Crump

Hall

**House Concurrent Resolution 31
on Second Reading**

On motion of Senator Strong and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading:

H. C. R. No. 31, Granting permission to Mount Ridge Baptist Church of Karnack, Texas, to bring suit against the State of Texas.

The resolution was read and was adopted.

House Bill 150 on Third Reading

The President laid before the Senate on its third reading and final passage:

H. B. No. 150, A bill to be entitled "An Act amending Article 123, Texas Election Code, as amended, to change the date on which the returns are canvassed and election certificates are issued to persons elected to the State Senate and House of Representatives; also amending Article 148, to make needed revisions in the procedure for election contests involving candidates for the legislature; and declaring an emergency."

The bill was read the third time and passed.

Notice of Executive Session

Senator Krueger gave notice that he would move for an Executive Session at 11:30 o'clock a.m. on Thursday, April 1, 1965.

House Bill 51 on Third Reading

The President laid before the Senate on its third reading and final passage:

H. B. No. 51, A bill to be entitled "An Act raising the age for compulsory school attendance to 17 years; amending Article 2892, Revised Civil Statutes of Texas, 1925, as amended, and Article 297, Penal Code of Texas, 1925, as amended; and declaring an emergency."

The bill was read third time and was passed.

Record of Vote

Senator Watson asked to be recorded as voting "Nay" on the final passage of H. B. No. 51.

**Senate Bill 257 With House
Amendment**

Senator Reagan called S. B. No. 257 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

Amendment No. 1

Amend Senate Bill 257 by deleting Section 2 and by substituting in lieu thereof the following:

Section 2. This Act is cumulative to all existing laws, except that Chapter 52, Acts of the 57th Legislature, 1961, codified as Section 21a of Article 2815h, Vernon's Texas Civil Statutes, is hereby repealed.

The House amendemnt was read.

Senator Reagan moved that the Senate concur in the House amendment.

The motion prevailed.

**Conference Committee on House Joint
Resolution 8**

Senator Dies called from the President's Table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. J. R. No. 8 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following as a Conference Committee on the part of the Senate on H. J. R. No. 8: Senators Dies, Aikin, Harde-man, Blanchard and Ratliff.

**Senate Bill 108 With House
Amendment**

Senator Creighton called S. B. No. 108 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the

following House amendment before the Senate:

Amendment No. 1

Amend S. B. No. 108, Section 4, "Sec. 6a" by deleting the words "or useful" so that "Sec. 6a" shall hereafter read as follows:

"Sec. 6a. The District is empowered, within or without the District, to construct or otherwise acquire all works, plants, and other facilities necessary for the purpose of receiving and treating water purchased from others, and to transport such water to cities and others for municipal, domestic and industrial purposes."

The House amendment was read.

Senator Creighton moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

**Senate Concurrent Resolution 57
With House Amendment**

Senator Hardeman called S. C. R. No. 57 from the President's table for consideration of the House amendment to the resolution.

The President laid the resolution and the following House amendment before the Senate:

Committee Amendment No. 1

In the last resolving paragraph following the word "tourists" delete the words "and others," between the words "tourists" and "such"; also following the last word "session" change the period to a semi-colon and add the word "and" to be followed by a new paragraph.

Be it further resolved that when the Legislature is not in session that the use of said temporary parking lot be restricted to the use of tourists visiting the Capitol Complex.

The House amendment was read.

Senator Hardeman moved that the Senate concur in the House amendment.

The motion prevailed.

**Senate Joint Resolution 27 With
House Amendments**

Senator Kazen called S. J. R. No. 27 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution and the following House amendments before the Senate:

Committee Amendment No. 1

Amend S. J. R. No. 27 by Hall and Kazen, by striking out all below the Resolving Clause and inserting in lieu thereof the following:

Section 1. That Article III of the Constitution of the State of Texas be amended by adding Section 48b thereto which shall read as follows:

Section 48b. There is hereby created as an agency of the State of Texas the Teacher Retirement System of Texas, the rights of membership in which, the retirement privileges and benefits thereunder, and the management and operations of which shall be governed by the provisions herein contained and by present or hereafter enacted Acts of the Legislature not inconsistent herewith. The general administration and responsibility for the proper operation of said system are hereby vested in a State Board of Trustees, to be known as the State Board of Trustees of the Teacher Retirement System of Texas, which Board shall be constituted and shall serve as may now or hereafter be provided by the Legislature. Said Board shall exercise such powers as are herein provided together with such other powers and duties not inconsistent herewith as may be prescribed by the Legislature. All moneys from whatever source coming into the Fund to provide retirement, disability, and death benefits for persons employed in the public schools, colleges, and universities supported wholly or partly by the state and all other securities, moneys, and

assets of the Teacher Retirement System of Texas shall be administered by said Board and said Board shall be the trustees thereof. The Treasurer of the State of Texas shall be custodian of said moneys and securities. Said Board is hereby authorized and empowered to acquire, hold, manage, purchase, sell, assign, trade, transfer, and dispose of any securities, evidences of debt, and other investments in which said securities, moneys, and assets have been or may hereafter be invested by said Board. Said Board is hereby authorized and empowered to invest and reinvest any of said moneys, securities, and assets, as well as the proceeds of any of such investments, in bonds, notes, or other evidences of indebtedness issued, or assumed or guaranteed in whole or in part, by the United States or any agency of the United States, or by the State of Texas, or by any county, city, school district, municipal corporation, or other political subdivision of the State of Texas, both general and special obligations; or in home office facilities to be used in administering the Teacher Retirement System including land, equipment, and office building; or in such corporation bonds, notes, other evidences of indebtedness, and corporation stocks, including common and preferred stocks, of any corporation created or existing under the laws of the United States or of any of the states of the United States, as said Board may deem to be proper investments; provided that in making each and all of such investments said Board shall exercise the judgment and care under the circumstances then prevailing which men of ordinary prudence, discretion, and intelligence exercise in the management of their own affairs, not in regard to speculation but in regard to the permanent disposition of their funds, considering the probable income therefrom as well as probable safety of their capital; and further provided, that a sufficient sum shall be kept on hand to meet payments as they become due each year under such retirement plan, as may now or hereafter be provided by law. Unless investments authorized herein are hereafter further restricted by an Act of the Legislature, no more than one per cent (1%) of the book value of the total assets of the Teacher Retirement System shall be invested in the stock of any one (1) corporation, nor shall more than five

per cent (5%) of the voting stock of any one (1) corporation be owned; and provided further, that stocks eligible for purchase shall be restricted to stocks of companies incorporated within the United States which have paid cash dividends for ten (10) consecutive years or longer immediately prior to the date of purchase and which, except for bank stocks and insurance stocks, are listed upon an exchange registered with the Securities and Exchange Commission or its successors; and provided further, that so long as less than \$500,000,000 of said Fund is invested in the government and municipal securities enumerated above, not more than thirty-three and one-third per cent (33 $\frac{1}{3}$ %) of the Fund shall be invested at any given time in common stocks. This Amendment shall be self-enacting and shall become effective immediately upon its adoption without any enabling legislation. This Section shall not alter, amend or repeal the first paragraph of Section 48a of Article III of the Constitution of Texas as amended November 6, 1956, or any legislation passed pursuant thereto. This Section shall not alter, amend or repeal the second paragraph of Section 48a of Article III of the Constitution of Texas as amended November 6, 1956, or any legislation passed pursuant thereto, except insofar as the provisions of the second paragraph of Section 48a and any legislation passed pursuant thereto, may limit or restrict the provisions hereof and only to the extent of such limitation or restriction.

Section 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on November 2, 1965, at which election all ballots shall have printed thereon the following:

"FOR the Constitutional Amendment amending Article III of the Constitution of the State of Texas by adding Section 48b relating to the Teacher Retirement Fund and the Teacher Retirement System of Texas, revising provisions for investment of moneys and other assets of the Fund, and changing other existing provisions and making other new provisions with respect to the administration of the Teacher Retirement System."

"AGAINST the Constitutional Amendment amending Article III of

the Constitution of the State of Texas by adding Section 48b relating to the Teacher Retirement Fund and the Teacher Retirement System of Texas, revising provisions for investment of moneys and other assets of the Fund, and changing other existing provisions and making other new provisions with respect to the administration of the Teacher Retirement System."

Section 3. The Governor of Texas shall issue the necessary Proclamation for the election and this Amendment shall be published in the manner and for the length of time required by the Constitution and laws of this state.

Committee Amendment No. 2

Amend S. J. R. No. 27 by Hall and Kazen, by striking out all above the Resolving Clause and inserting in lieu thereof the following:

Proposing an amendment to the Constitution of the State of Texas, amending Article III of the Constitution of the State of Texas by adding a new Section thereto to be designated Section 48b, so as to create as an agency of the State of Texas the Teacher Retirement System of Texas, vesting the general administration and responsibility of the proper operation of said system in a state board of trustees to be known as the State Board of Trustees of the Teacher Retirement System of Texas, authorizing said board to invest assets of said system in various obligations and subjects of investment, subject to certain restrictions stated therein and such other restrictions as may hereafter be provided by law; providing that such amendment shall be self-enacting and shall not alter, amend or repeal Section 48a of Article III of the Constitution of Texas or any legislation passed pursuant thereto except insofar as such legislation may limit or restrict the provisions of this amendment; providing for the necessary election, form of ballot, proclamation, and publication.

The House amendments were read.

Senator Kazen moved to concur in House Amendments to S. J. R. No. 27.

The motion prevailed by the following vote:

Yeas—31

Aikin

Bates

Blanchard
Calhoun
Cole
Colson
Creighton
Crump
Dies
Hall
Hardeman
Harrington
Hazlewood
Herring
Hightower
Kazen
Kennard

Krueger
Moore
Parkhouse
Patman
Ratliff
Reagan
Richter
Rogers
Schwartz
Snelson
Spears
Strong
Watson
Word

Welcome Resolutions

S. R. No. 377—By Senator Watson: Extending welcome to Vernon W. Forsman et al., of Temple.

S. R. No. 378—By Senator Creighton: Extending welcome to James McCracken et al., of Cisco.

S. R. No. 379—By Senator Herring: Extending welcome to students and teacher of Blanton Elementary School of Austin.

S. R. No. 381—By Senator Watson: Extending welcome to E. C. Crittenden, Jr., of Temple.

S. R. No. 382—By Senator Harrington: Extending welcome to Mrs. Karol Hathaway and Bret Hathaway of Nederland.

S. R. No. 383—By Senator Herring: Extending welcome to students of Senior Class of Hutto High School.

S. R. No. 384—By Senator Schwartz: Extending welcome to students and teacher of Saint Mary's Cathedral of Galveston.

S. R. No. 385—By Senator Creighton: Extending welcome to Mr. and Mrs. Joao B. de Siqueira of Rio de Janeiro, Brazil.

S. R. No. 386—By Senator Creighton: Extending welcome to Mr. and Mrs. David H. Guinn of Boulder, Colorado, et al.

Adjournment

Senator Hardeman moved that the Senate adjourn until 10:30 o'clock a.m. tomorrow.

The motion prevailed by the following vote:

Yeas—17		Harrington	Richter
Aikin	Hightower	Kazen	Schwartz
Blanchard	Krueger	Kennard	Snelson
Calhoun	Moore	Patman	Spears
Colson	Parkhouse	Reagan	Strong
Creighton	Ratliff	Absent	
Crump	Rogers		
Dies	Watson		
Hardeman	Word	Hall	Hazlewood
Herring			
Nays—12		Accordingly the Senate at 11:56	
Bates	Cole	o'clock a.m. adjourned until 10:30	
		o'clock a.m. tomorrow.	

In Memory of
Mrs. George P. Willis, Sr.

Senator Krueger offered the following resolution:

(Senate Resolution 374)

Whereas, In the passing of Mrs. George P. Willis, Sr., the City of El Campo lost one of its loveliest ladies and one of its most outstanding leaders; and

Whereas, Mrs. Willis had been a citizen of El Campo for the past sixty-three years, during which time she had made her imprint as an outstanding wife, mother, schoolteacher, clubwoman, and citizen; and

Whereas, Mrs. Willis was a native of Rock Island, Illinois, where she was born on December 29, 1883, the former Mary Grace Jamerson; and

Whereas, In 1901 she migrated to El Campo where she met and married George P. Willis, Sr., a brilliant young lawyer whose talent in the field of law earned him a statewide reputation; and

Whereas, "Mother Willis" as she was affectionately known, through her devotion to her family and friends, generated the love and enthusiasm of all who knew her; and

Whereas, Mrs. Willis is survived by three daughters, Mrs. Mary Grace Renfro, Mrs. Hallie Brown, and Mrs. Ruth Goehring; one son, George P. Willis, Jr., and fifteen grandchildren, one great grandchild, a sister, and two brothers; and

Whereas, It is the desire of the Senate of The State of Texas to acknowledge the many greatnesses of this exceptional lady, and to express its sympathy to her survivors; now, therefore, be it

Resolved, By the Senate of The State of Texas, That copies of this Resolution be sent to the members of her family as tokens of our high esteem for this great lady and that when the Senate adjourns today it do so in memory of Mrs. George P. Willis, Sr.

KRUEGER

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Kazen, Kennard, Moore, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Snelson, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Herring and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted by a rising vote of the Senate.

In Memory of

Clark Burrus

Senator Aikin offered the following resolution:

(Senate Resolution 375)

Whereas, The City of Texarkana and the State of Texas lost an outstanding citizen and beloved friend in the death of Clark Burrus; and

Whereas, He was born at Mt. Pleasant, Texas, on December 23, 1910. He attended Ballinger High School and received his B.A. degree from Howard Payne and his M.A. degree from East Texas State College. He did graduate work at North Texas and the University of Texas; and

Whereas, His life was exemplary of the wisdom and faith that showed itself in unselfish service to others in private life and in public service; and

Whereas, He is survived by his wife, Mrs. Joyce Hunter Burrus; one daughter, Mrs. Jesse E. King of Oxon Hill, Maryland; one sister, Mrs. William Porter of Houston, Texas; and

Whereas, Mr. Burrus had been in the field of education since he finished college and served as Dean of the college at Texarkana, Texas; and

Whereas, He was a member of the Academy of Science, of the National Education Association; a charter member of the National College Teachers Association; a life member of Texas State Teachers Association; and

Whereas, He served as President of the San Saba Texas State Teachers Association; he served as Science Chairman of the Science Section of District 8; he served as Chairman of the Chemistry Section of the Texas Junior College Teachers Association; and

Whereas, He served as Secretary and Treasurer of the Texas Junior College Athletic Conference from 1951 to 1955; he served as Vice-President of the Texas Athletic Conference in 1956; he served as President of the Texas Athletic Conference from 1957 to 1963; and

Whereas, He served as treasurer of the Bowie County Unit from 1961 to 1962; he served as director and member of the Bowie County Credit Union and Vice-President of the Bowie County Credit Union in 1955-1956; and

Whereas, He was President of the Texarkana Kiwanis Club in 1960; he organized the Circle K Club and was Division Chairman of the Circle K Club; and

Whereas, He was a member of the Texarkana Civic Music Association; he was director of the 4-State Wild Life Association; he was director and Vice-President of the Texarkana Heart Association; he was commissioner of the Texas Housing Authority; and

Whereas, He was a member of the Williams Memorial Methodist Church and Superintendent; he was Chairman of the Educational Committee and served on the Board of Trustees; he was a member of the Men's Bible Class; and

Whereas, The Texas Senate wishes to pay tribute to this distinguished citizen; now, therefore, be it

Resolved, That when the Senate of Texas of the 59th Legislature adjourns today, it do so in memory of the late Clark Burrus; that a page in the Journal be set aside in respect to him; and that copies of this Resolution be sent to his family with our humble appreciation for his service to others; and with our deep personal regard.

AIKIN
STRONG

The resolution was read and was adopted by a rising vote of the Senate.